COMMON AUDIT PROBLEMS

And now a few words on everyone's favorite subject – BCI audits!

Overall we're very pleased with the agency audits, and find that most agencies are doing their best to follow state and federal policies. Many problems come from misunderstanding rather than willful misuse.

Here are a few common problems that we have been finding in agency audits:

1. Lack of a Misuse Policy or an Incomplete Misuse Policy. CJIS Security Policy 4.2 states: "Authorized users shall access CJIS systems and disseminate CJIS data only for the purposes for which they are authorized. Each criminal justice and noncriminal justice agency authorized to access FBI CJIS systems shall have a written policy for the discipline of CJIS policy violators." Also, keep in mind that your policy must require your agency to contact BCI when UCJIS misuse is discovered at your agency. (Utah Code 53-10-108 [11b]).

2. Not Filling Out All Applicable Questions. We know it's a lot to fill out, and almost every agency misses a question or two. However, some audits are sent in with barely half the necessary questions answered! If you are not sure if a question applies to you, or if you are not sure what information we are looking for, please call your auditor before sending the audit packet to BCI.

3. Vague Auditing Purposes. Same problem we've been having forever! Don't forget that the entry in the Auditing Purpose field needs to be something specific and unique that will direct the user (or TAC) to one specific case. Ideally, a case number should be used in the Auditing Purpose field.

Although most agencies state they are performing regular internal audits, these audits are not catching improper use of the Auditing Purpose field, or other mandatory fields on UCCH and III inquiries.

Remember – one reason for internal audits is to find and prevent user errors!

4. Lack of Information in NCIC and SWW Entries. While the quality of information in both types of entries continues to improve, some stubborn errors remain. Most disturbing is the number of missing person entries without dental information.

Agencies often say they are following up on their $.K. messages, but then we find Missing Person entries with no dental information attached. Remember, if a missing person has been on NCIC for 30 days, you must attach additional identifying information such as dental characteristics, jewelry type, blood type, etc. (Title XXXVII - National Child Search Assistance Act of 1990)

If the missing person has never been to a dentist, or if the complainants don't know the location of the dental records, or if they are unwilling to cooperate, please indicate this information in the case report to reduce your agency's liability. Also, please attach a photo of the missing person to the entry if at all possible.

5. "We Don't Do NCIC Entries." If your ORI appears on an NCIC entry, your agency is responsible for its content and accuracy, even if another agency (dispatch center, sheriff's office, etc.) made the entry for you.

It is up to your agency to second-party check the entry, and look for missing or incorrect information. If your entry has NCIC Entry capabilities, you can make the changes yourself. If not, contact the agency that does the entries for you and point out the errors.

6. No Fingerprints on File. Don't forget that all UCJIS users must undergo a fingerprint background check, unless they are POST certified or have a valid Utah CFP. And, no, BCI does not keep copies of all applicant cards we receive. (That would be tens of thousands of cards!)

RECORD GUN CHECKS FOR NOVEMBER

November 2008 was a very busy month for our Brady Section!

The number of regular gun checks run was **13,298** (All time record for November – and the third largest month ever)

Gun purchases conducted for those with Utah Concealed Weapon Permits: **7,610** (All time record for any month since beginning of Brady)

Regular background checks ran on November 28 (the day after Thanksgiving) **1,756**. That's the record for most checks performed in a day!

Also on the 28th, **594** checks were run through our web based program, which is also a one-day record.

VIN AND VEHICLE INFO – QUICK!

1. Enter VIN number (and just the VIN number) into Google
2. Click "Search"
3. Click link stating: "Look up vehicle with VIN XXXXXXX"
4. Result gives you the VIN, Vehicle Year, Make Model, Body Style, Engine Type, and the place the vehicle was manufactured in.
5. Handy info if you don't happen to know the body style (sedan, etc.) and how many doors the vehicle has!
6. **Makes for quicker and easier NCIC entries!**

JUVENILE ALIAS NAMES

Ariel Anderson is 15 years old, and she is missing. Her mother's maiden name is Jones.

Why should you care about her mother's maiden name?

When asked to identify themselves, many juveniles do not give their true names because they do not want to be caught. However, when pressed for a quick answer, many juveniles mention one of the first names to come to mind – their mother's maiden name.

Or – Ariel's mother has remarried, and now uses the last name Smith, while Ariel still uses the last name Anderson. Again, when asked to quickly provide identification, Ariel might say her name is "Ariel Smith."

If toddler Ariel Anderson has been abducted by her non-custodial mother, the mother may also identify the child as "Ariel Jones" or "Ariel Smith," thinking that the child is listed only as Ariel Anderson.

Thus – when entering Ariel Anderson as a missing juvenile, remember to enter Ariel Jones and Ariel Smith as alias names! (Or whatever the last names may be…)

2009 TAC CONFERENCE

The 2009 TAC Conference will be held May 11-13 at the Dixie Center in St. George, Utah.

Please see http://www.dixiecenter.com for more details. The Hilton Garden Inn, which is attached to the Conference Center, will be offering state rates. Other hotels in the area are also offering state rates – keep watching the TAC web site, e-mails, and the Message of the Day for more information regarding hotels, fees, registration, agenda, etc.

Don't forget that each ORI must have representation!

"LOG" TRANSACTION TIP!

Many of you have noticed the LOG transaction can be a bit slow or clumsy to work with – especially when you are searching for large amounts of information. Also, the LOG only goes back 21 days.

BCI received a helpful tip from one of our TACs. This TAC runs the LOG transaction on a frequent basis and copies and pastes the results into a Word document. This way the information is stored for more than 21 days. It is also easier to search and sort the information in the LOG. The results can also be pasted into a spreadsheet format using a delimited format.

See the last page of the newsletter for an example of a LOG transaction that has been put into another format.

UCR/IBR INFORMATION

Collection of Domestic Violence Information

Utah Code 77-36-2.2 provides for the collection of information on domestic violence cases from January 1, 2009 to December 31, 2013. Only cities designated as "a city of the first or second class are required to report this data. The following agencies need to report this data: Salt Lake City Police Department; West Valley City Police Department; Provo Police Department; West Jordan Police Department; Sandy Police Department; Orem Police Department; Ogden Police Department and St. George Police Department.

The data that is to be collected is as follows:

- Martial status of the parties involved
- Relationship of the suspect to the victim
- If an arrest was made

BCI has been designated as the agency to collect this data. We have prepared a form to collect this data. The form may be downloaded from our web site at http://publicsafety.utah.gov/bci/forms.html. If your agency would prefer to submit this electronically, you will need to submit it in a delimited format for import into a spread sheet format. If you elect to submit it electronically, you will need to submit a test file prior to your first submission. This data must be submitted on a monthly basis. If you have any questions, please contact Mary Ann Curtis at 801 965-4812 or macurtis@utah.gov.

IDENTITY THEFT FILE

Is your agency making entries into the NCIC Identity Theft File?

For tips on using the file, check out the PowerPoint on the TAC web site at

http://dpsemployees.utah.gov/TAC/TACPresentations.html.

(Look under "Other BCI Presentations.")

NLETS STATISTICS

Did you know that in October alone, Nlets processed 72,473,038 messages?

Not surprisingly, the most commonly used Nlets transactions were RQ and DQ. (Vehicle registration and driver license.)

The top four states (by volume) were TX, CA, IL, and FL.

Utah agencies ran 477,831 Nlets transactions in October 2008.

MISSING PERSONS

FEDERAL LAWS & MISSING PERSONS

Just a reminder of federal laws on reporting requirements of law enforcement for missing persons

Suzanne's Law:

Amended the Protect Act making the age of mandatory report taking and NCIC entry of missing persons under the age of 21

Suzanne's Law is section 204 of PL 108-21, the Protect Act, signed by President Bush in 2003.

Suzanne's Law amends Section 3701 (a) of the Crime Control Act of 1990 so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of twenty-one and reports the missing person to the National Crime Information Center of the Department of Justice.

This is the exact text of Suzanne's Law:

SEC. 3701. REPORTING REQUIREMENT.
(a) IN GENERAL- Each Federal, State, and local law enforcement agency shall report each case of a missing child under the age of 18 21 reported to such agency to the National Crime Information Center of the Department of Justice.

(b) GUIDELINES- The Attorney General may establish guidelines for the collection of such reports including procedures for carrying out the purposes of this Act.

Adam Walsh Child Protection Safety Act

Amended the reporting and retention period for missing persons

Sec. 5780. State requirements

Each State reporting under the provisions of this section and section 5779 of this title shall--

(1) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the observance of any waiting period before accepting a missing child or unidentified person report;

(2) Ensure that no law enforcement agency within the state establishes or maintains any policy that requires the removal of **a missing person** entry from its state law enforcement system or the National Crime Information Center computer database based solely on the age of the person; and

(3) provide that each such report and all necessary and available information, which, with respect to each missing child report, shall include—

> (A) the name, date of birth, sex, race, height, weight, and eye and hair color of the child;

> (B) the date and location of the last known contact with the child; and

> (C) the category under which the child is reported missing; is entered ~~immediately~~ **within 2 hours** into the State law enforcement system and the National Crime Information Center computer networks and made available to the Missing Children Information Clearinghouse within the State or other agency designated within the State to receive such reports; and

(4) provide that after receiving reports as provided in paragraph (2), the law enforcement agency that entered the report into the National Crime Information Center shall--

> (A) no later than 60 days after the original entry of the record into the State law enforcement system and National Crime Information Center computer networks, verify and update such record with any additional information, including, where available, medical and dental records;

(B) institute or assist with appropriate search and investigative procedures; and
(C) maintain close liaison with the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases.

VICAP

About VICAP

Established by the Department of Justice in 1985, FBI-ViCAP serves as the national repository for violent crimes; specifically homicides, sexual assaults, missing persons (with indications of foul play), and unidentified bodies (where the manner of death is known or suspected to be homicide). ViCAP is a state-of-the-art behavior-based crime analysis tool structured to address the violent crime problems impacting law enforcement agencies today.

Originally a mainframe application, then a client-server system, ViCAP is now a Web-based application! It is available to law enforcement agencies nationwide through connectivity of the LEO Intranet! Nearly 4000 law enforcement agencies currently participate in ViCAP, having submitted approximately 150,000 cases, to date.

ViCAP Web enables law enforcement agencies to collect, collate, enter, and analyze their own violent crime information on a local level, and facilitates the identification of similar cases on a regional, state and national basis. Established Hub Agencies are available to assist local agencies with data entry and analysis on a state level. Additionally, individual case submissions are analyzed by ViCAP Crime Analysts at a national level.

Located at an off-site location in Quantico, Virginia, FBI-ViCAP is staffed by one Unit Chief, one Administrative Assistant, two Regional Supervisors, 17 Crime Analysts, and a technical team. ViCAP is a component of the FBI's National Center for the Analysis of Violent Crime (NCAVC), Critical Incident Response Group (CIRG).

History of ViCAP

In 1956 ViCAP originated from an idea by Pierce R. Brooks, a retired LAPD detective. Brooks investigated the murders of two Los Angeles women who had replied to an advertisement for photographic models. They had been taken to the desert where they were excessively and neatly

bound, photographed, raped, and then strangled to death. Brooks scoured out-of-town newspapers looking for information on murder cases which exhibited similar characteristics. He found an article reporting a homicide remarkably similar to the two he was investigating. Brooks contacted the police department handling the out-of-town case and, once their investigative information was shared and compared, the three murder cases were closed with the arrest of Harvey Glatman. Glatman was convicted and executed.

Brooks conceived the idea of a computer storing relevant information about open and closed murder cases so that investigators with a new murder case could query the database for cases with similar characteristics. However, at that time computers were massive in size and very expensive.

In 1981, Brooks wrote a plan for VICAP. He wrote "VI-CAP…is a program designed to integrate and analyze, on a nationwide basis, all aspects of the investigation of a series of similar pattern deaths by violence, regardless of the location or number of police agencies involved. The overall goal of the VI-CAP is the expeditious identification and apprehension of the criminal offender, or offenders, involved in multiple murders."

Submission Criteria

The ViCAP Web Violent Crime Database stores information regarding the following types of crimes, whether or not the offender has been arrested or identified:

- Homicides (and attempts), especially those that involve an abduction, are apparently random, motiveless, or sexually oriented, or are known or suspected to be part of a series.

- Sexual Assaults / Offenses (and attempts), especially those committed by a stranger, or those known or suspected to be part of a series.

- Missing Persons where the circumstances indicate a strong possibility of foul play and the victim is still missing.

- Unidentified Bodies where the manner of death is known or suspected to be homicide.

Membership Requirements

ViCAP is open to any LEO member, with the exceptions of the areas of restricted access: ViCAP Web LEA Managers, ViCAP National Advisory Board, and ViCAP JAD Team, as well as any active SUBSIGs. Contact Gina McNeil, the Utah LEA manager at 801-965-4686 or gmcmahon@utah.gov for information on the LEO application or for reports from the VICAP database. Training will be forthcoming in 2009.

INTERNAL AUDITS AND THE LOG TRANSACTION

As previously mentioned, too many agencies are still using vague phrases ("Investigation," "Background") in the Auditing Purpose field on UCCH and III inquiries. We also mentioned that you can copy the results of your LOG transaction and paste it into another format.

How do you find the vague Auditing Purposes?

In any format (UCJIS, Word, Excel, etc.) hit CTRL-F to bring up the "search" dialog box. Enter **AUD/** into the dialog box and hit "Next" or "Find Next."

You'll come to the first Auditing Purpose. Is there a case number after the AUD/, or is there a generic phrase such as "Background?"

You can also use the CTRL-F search function to look for particular names, license plate numbers, etc.

As seen in the example on the following page, operator jjones has a habit of entering "Investigation" into the Auditing Purpose field – and used a case number on only one occasion.
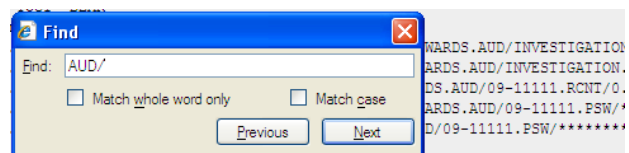
FORWARD NEWS ITEMS TO: B.C.I., FIELD SERVICES, 3888 W 5400 S, BOX 148280, SALT LAKE CITY UT 84114-8280

BUREAU OF CRIMINAL I.D.	FIELD SERVICES	FIELD SERVICES	EDITOR
Alice Erickson, Director	Kathy Wilcox, Manager	Jacob Dunn, Supervisor	Adrienne Sowards
801-965-4571	801-964-4405	801-965-4963	801-965-4497

2008-12-22 15:25:14.0	BCI	jjones	QW.UTBCI0000.NAM/BEAR,YOGI
2008-12-22 15:25:24.0	BCI	jjones	QW.UTBCI0000.IDX/2082349
2008-12-22 15:25:36.0	BCI	jjones	QW.UTBCI0000.IDX/2204654
2008-12-22 15:25:50.0	BCI	jjones	XDQ by Name: YOGI BEAR
2008-12-22 15:25:59.0	BCI	jjones	XDQ by Driver License Number: 172443851
2008-12-22 15:26:10.0	BCI	jjones	XDQ by Driver License Number: 175936861
2008-12-22 15:26:33.0	BCI	jjones	IQ.UTBCI0000.UT.TXTPUR/C.ATN/JJONES.NAM/BEAR,YOGI.REQ/JJONES.AUD/INVESTIGATION.RCNT/0.PSW/*******.
2008-12-22 15:26:44.0	BCI	jjones	FQ.UTBCI0000.UT.TXTPUR/C.ATN/JJONES.SID/00701580.REQ/JJONES.AUD/INVESTIGATION.PSW/********.
2008-12-22 15:26:53.0	BCI	jjones	FQ.UTBCI0000.UT.TXTPUR/C.ATN/JJONES.SID/00321323.REQ/JJONES.AUD/08-998877.PSW/********.
2008-12-22 15:27:04.0	BCI	jjones	FQ.UTBCI0000.UT.TXTPUR/C.ATN/JJONES.SID/A20337473.REQ/JJONES.AUD/INVESTIGATION.PSW/********.
2008-12-22 15:27:50.0	BCI	jjones	QH.UTBCI0000.NAM/TEST,JOSEPH T.DOB/19521005.SEX/M.RAC/U.PUR/C.REQ/JJONES.AUD/INVESTIGATION.PSW/****.
2008-12-22 15:28:14.0	BCI	jjones	QR.UTBCI0000.FBI/9001100.PUR/C.ATN/JJONES.REQ/JJONES.AUD/INVESTIGATION.PSW/********.
2008-12-22 15:29:01.0	BCI	jjones	QW by Name: BEAR,YOGI
2008-12-22 15:29:02.0	BCI	jjones	QW.UTBCI0000.NAM/BEAR,YOGI.SEX/M.RAC/U.DOB/19500211
2008-12-22 15:29:38.0	BCI	jjones	QII.UTBCI0000.IMN/I300568610.IND/Y
2008-12-22 15:30:57.0	BCI	jjones	QII.UTBCI0000.IMN/I355713038.IND/Y
2008-12-22 15:33:44.0	BCI	jjones	DQ.UTBCI0000.MN.TXTNAM/DRIVER,MINNESOTA.DOB/19500101.SEX/M
2008-12-22 15:34:38.0	BCI	jjones	DQ.UTBCI0000.ID.TXTNAM/DROPOUT,JOHNNY B.DOB/19810704.SEX/M